

REMARKS

Present Status of Application

The Examiner is thanked for the thorough examination of the present application. The Office Action, however, rejected all claims 1-19. More specifically, claims 1-4, 6-14, and 16-19 were tentatively rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Numata (US Patent 6,603,724), in view of Niikura (US Publication 2004/0017767). In addition, claims 5 and 15 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Numata (US Patent 6,603,724), in view of Niikura (US Publication 2004/0017767), in further view of Kato (US Publication 2002/0150027).

Applicant has canceled all claims 1-19 and added new claims 20-25, which clearly define over the cited art. In view of the cancellation of claims 1-19, the previous rejections are rendered moot. Nevertheless, Applicant offers the following additional remarks for the Examiner's benefit.

Discussion of Office Action Rejections

Applicants respectfully traverse all rejections for at least the reasons set forth below.

Independent claim 20 (newly added) recites:

20. A disk-anchoring device of an optical disk device, comprising:
a substrate;
a clamper frame for holding a clamper, pivoted on said substrate and having a first protrusion portion;
a sliding element, movably mounted on said substrate and having an inclined portion;
wherein, when said sliding element is moved on said substrate, said first protrusion portion is relatively moved along said inclined portion so as to swing said clamper frame.

As emphasized above, independent claim 20 defines a disk-anchoring device of an optical disk device for clamping an optical disk. The claimed disk-anchoring device comprises a

clamper frame having a first protrusion portion and a sliding element having an inclined portion. When the sliding element is moved, the first protrusion portion is relatively moved along the inclined portion so as to swing the clamper frame for a clamper, which is mounted on the clamper frame, clamping a loaded disk.

In operation, before a disk is loaded into the optical disk device, the first protrusion portion 31 of the clamper frame 3 is positioned at the higher end of the inclined portion 63 of the sliding element 6 as shown in amended FIG. 6. Alternatively, after the disk is loaded into the optical disk device, the first protrusion portion 31 of the clamper frame 3 is positioned at the lower end of the inclined portion 63 of the sliding element 6 as shown in amended FIG. 7. In addition, during the loading process of the disk, the sliding element 6 is moved in a direction defined by the arrow "A" in FIG. 6, and the first protrusion portion 31 is relatively moved along the inclined portion 63 from the higher end of the inclined portion 63 to the lower end of the inclined portion 63 so as to swing the clamper frame 3 downwardly. The clamper 4 mounted on the clamper frame 3 is also moved down with the clamper frame 3 to clamp the loaded disk.

In contrast, in the cited art, US Patent 6,603,724, taught by Numata, a chucking plate 150 is supported to a plate support member 130 (col. 9, lines 31-32), and the plate support member 130 is pivotably supported to a slide member 110 of a support slider 200, which is slidably supported to a support plate 30 (col. 7, lines 46-52). When a disk 300 is inserted into the disk device, the support slider 200 is pushed by the disk 300. As the support slider 200 is moved, all elements mounted on the support slider 200, ex. plate support member 130 and chucking plate 150, are moved together with the support slider 200 at the same time and direction, ex. disk loading direction, and the slide member 110 does not drive the plate support member 130 to swing.

However, and as expressly defined in claim 20, the clamper frame and the sliding element

are disposed on the substrate respectively, and when the sliding element is moved, the clamping frame is not moved together with the sliding element but is driven to swing by the sliding element.

Significantly, Numata fails to disclose these claimed features, and is consequently not capable of performing the described operation. Therefore, Numata fails to disclose all of the claimed elements of claim 20, and claim 20 should be allowed for at least these reasons.

As claims 21-25 depend from claim 20, they patently define over Numata for at least the same reasons.

As to the cited art, US 2004/0017767 and US 2002/0150027, neither disclose a sliding element movably mounted on a substrate and having an inclined portion for swing the clamping frame pivoted on the substrate. Therefore, both of Niikura and Kato fails to disclose all of the claimed elements of claim 20, and therefore do not impact the patentability of claim 20. Further, as claims 21-25 depend from claim 20, they patently define over Niikura and Kato for at least the same reasons.

Conclusion

Accordingly, Applicants respectfully submit the claim 20-25 to overcome the rejections. Specifically, the present application cannot be anticipated by Numata, Niikura and Kato. In view of foregoing, it is believed that all pending claims are in proper condition for allowance.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel R. McClure', written over a horizontal line.

Daniel R. McClure
Registration No. 38,962

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500